

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Tuesday, September 23, 1997

John Boehner
Chairman
8th District, Ohio

*House Meets at 12:30 p.m. for Morning Hour
and 2:00 p.m. for Legislative Business
(No Votes Expected Before 5:00 p.m.)*

Anticipated Floor Action:

- H.R. 2343—Abolishing the Thrift Depositor Protection Oversight Board**
H.R. 2414—50 States Commemorative Coin Program Act
H.R. 2261—Small Business Programs Reauthorization and Amendments Act
S. 996—Authorizing Arbitration in United States District Courts
H.R. 2027—Regarding Canadian Border Boat Landing Permits
**H.R. 1683—Jacob Wetterling Crimes Against Children and Sexually Violent
Offenders Registration Improvements**
H.R. 643—Designating the Carl B. Stokes United States Courthouse
H.R. 824—Designating the Howard T. Markey National Courts Building
S. 1000—Designating the Robert J. Dole United States Courthouse
H.R. 994—Designating the Kika de la Garza U.S. Border Station
H.R. 29—Designating the Ronald H. Brown Federal Building
H.R. 1948—Hood Bay Land Exchange Act
S. 871—Oklahoma City National Memorial Act
**H.R. 1460—Allowing the Election of the Delegate from Guam by Other than
Separate Ballot**
**H.R. 1420—Agreeing to Senate Amendments to the National Wildlife Refuge
Improvement Act**
H.R. 2160—FY 1998 Agriculture Appropriations Act (Conference Report)
**Motion to go to Conference on H.R. 2264 (FY 1998 Labor, HHS, and Education
Appropriations Act)**
**Motion to go to Conference on H.R. 2378 (FY 1998 Treasury, Postal Service
Appropriations Act)**
Motion to go to Conference on H.R. 2107 (FY 1998 Interior Appropriations Act)



H.R. 2343—Abolishing the Thrift Depositor Protection Oversight Board

Floor Situation: The House is scheduled to consider H.R. 2343 on Tuesday, September 23, 1997, under the “corrections day” procedure. It is debatable for one hour, may be amended only by the chairman of the committee of jurisdiction, and requires a three-fifths majority vote for passage. House rules provide for one motion to recommit, with or without instructions.

Summary: H.R. 2343 abolishes the Thrift Protection Oversight Board and transfers the board’s remaining responsibilities to the Treasury Department. The oversight board was primarily created to monitor the activities of the Resolution Trust Corporation (RTC), which expired on December 31, 1995. H.R. 2343 also transfers the oversight responsibilities of the Resolution Funding Corporation (REFCorp) to the Treasury Secretary, and restructures the Affordable Housing Advisory Board to eliminate the non-voting seat held by the oversight board. By terminating the oversight board, the bill will reduce the annual cost of an employee of the board who prepares periodic reports. The bill also reduces the number of meetings the Affordable Housing Advisory Board must hold each year from four to two and deletes the statutory requirement that the meetings must be held throughout the U.S. CBO estimates that enactment of H.R. 2343 will result in a minimal increase in federal spending and achieve an estimated \$250,000 annually in savings. The bill was introduced by Mr. Leach and ordered reported by Banking & Financial Services Committee by voice vote on September 9, 1997.

Views: The Republican leadership supports passage of the measure. An official Clinton Administration viewpoint was unavailable at press time.

Additional Information: See *Legislative Digest*, Vol. XXVI, #26, September 19, 1997.



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following 14 bills under suspension of the rules after it completes consideration of H.R. 2343. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 2414—50 States Commemorative Coin Program Act authorizes the Secretary of the Treasury, beginning in 1999 and continuing for 10 years, to issue five new quarter-dollar coins per year commemorating one of the fifty states. The coins will be standard circulating coins similar to those issued in honor of the bicentennial in 1976. The states will be honored in the order in which they entered the union. All fifty coins will have a common design on one side (the head of George Washington). The other side will be designed by the secretary in consultation with state officials, the Citizens Commemorative Coin Advisory Committee (CCCAC), and the Commission on Fine Arts. Standards for state proposals will be maintained with dignified designs worthy of national coinage and the bill directs the Treasury Secretary not to select any frivolous or inappropriate designs. Introduced by Mr. Castle et al. and the Domestic and International Monetary Policy Subcommittee of the Banking & Financial Services Committee ordered the bill reported by voice vote on September 10, 1997.

H.R. 2261—Small Business Programs Reauthorization and Amendments Act reauthorizes the Small Business Administration and the programs of the Small Business Act and the Small Business Investment Act through FY 2000. The bill sets new authorization levels at \$1.3 billion for FY 1998 (\$463 million more than the FY 1997 level), \$1.4 billion for FY 1999, and \$1.5 billion for FY 2000. The bill reauthorizes, modifies, and strengthens the SBA's financial programs, including the general business loan guarantee program, the Certified Development Company program, the Microloan program and the Small Business Investment Company program. In addition, the bill reauthorizes the technical assistance and procurement programs of the SBA, including the Women's Business Center program, the Small Business Development Center program, and the Competitiveness Program. CBO estimates that enactment will result in new discretionary spending of about \$4.3 billion over the FY 1998-2002 period. Of this total, \$630 million is from amounts specifically authorized in the bill for SBA programs—primarily for administrative expenses. The remaining \$3.7 billion is primarily for the subsidy costs of SBA loan programs. CBO estimates that enacting H.R. 2261 also will result in an increase in direct spending of \$1 million in fiscal year 1998 and \$5 million over the FY 1998-2002 period. The bill was introduced by Mr. Talent and reported by the Small Business Committee by voice vote.

S. 996—Authorizing Arbitration in U.S. District Courts extends a current pilot project to allow U.S. district courts to use alternative dispute resolution (ADR; i.e., arbitration) to settle pending cases without going to trial. The intent of the project is to alleviate court caseloads by settling less-controversial cases out of court without expending the time and expense of lawsuit participants through a full-fledged court proceeding. The bill is considered non-controversial. CBO did not complete a cost estimate for S. 996. The measure was introduced by Mr. Grassley and referred to the House on July 31, 1997. The Senate passed S. 996 by unanimous consent on July 31, 1997. The bill was not considered by a House committee.

H.R. 2027—Regarding Canadian Border Boat Landing Permits amends current immigration law regarding U.S. citizens traveling through U.S.-Canadian waters on short trips and the required documentation to make such trips. Specifically, the bill allows U.S. citizens who are passengers on small boats—including personal boats but not meant to include commercial liners—to make excursions of up to 72 hours in Canada if they possess a U.S. passport. CBO estimates that enactment will have no effect on the federal budget. H.R. 2027 was introduced by Mr. LaTourette and was reported by the Judiciary Committee on July 23, 1997.

H.R. 1683—Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Improvements Act makes minor enhancements to current law regarding the registration of violent sexual and kidnapping offenders with state law enforcement officials once they are released from prison. Specifically, H.R. 1683 (1) requires that persons convicted under military or federal law for certain sex crimes be required to register with law enforcement group of offenders register with local law enforcement officials in their home states—as well as states where they are assigned permanently (in the case of military personnel)—as a condition of their probation or parole; (2) requires that states make information in their sex offender registries accessible to the Federal Bureau of Investigations (FBI); (3) extends beyond October 3, 1997, the deadline by which states must implement sex offender registries; (4) grants authority to the U.S. Attorney General to approve state registration programs which effectively protect the public from exceptionally dangerous offenders using requirements other than those called for in legislation enacted in the 1994 Jacob Wetterling Act; and (5) allows the U.S. Marshals Service to conduct oversight of sexual offenders who are also enrolled in the federal Witness Protection Program. CBO estimates that enactment will

have no effect on the federal budget. H.R. 1683 was introduced by Mr. McCollum et al. on May 20, 1997, and was reported by the Judiciary Committee by voice vote on September 9, 1997.

H.R. 643 names the federal courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, after Carl B. Stokes. In 1962, he was the first African-American Democrat elected to the Ohio General Assembly. Elected Mayor of Cleveland in 1967, he was the first African-American to become a mayor of a major American city. Mr. Stokes also served as a judge on the Cleveland Municipal Court, ambassador to the African Island Republic of Seychelles, and liaison to the Department of State and the Clinton Administration on behalf of the African Continent. Mr. Stokes (1927-1996) dedicated a great part of his life to public service and became a distinguished leader in his community and the nation. The bill was introduced by Mr. LaTourette and was reported by the Transportation Committee by voice vote.

H.R. 824 names the federal courthouse located at 717 Madison Place, N.W., in Washington, D.C. after Howard T. Markey. Judge Markey presided on the United States Court of Appeals for the Federal Circuit from its creation in 1982, where he served as its first Chief Justice. His monumental contribution to the American judicial system was his argument for the creation of the Federal Circuit. He argued that the nation would be better served if appeals in the domains of intellectual property law, federal claims, and federal civil service matters were taken to a single U.S. Court of Appeals for the Federal Circuit. The bill was introduced by Mr. Hyde and was reported by the Transportation Committee by voice vote.

S. 1000 names the federal courthouse at 500 State Avenue in Kansas City, Kansas, after Robert J. Dole. Born in Russell, Kansas, and wounded in action during World War II, Mr. Dole spent most of his life devoted to public service. In 1951, he was elected to the Kansas State Legislature and served in various state government positions before running for Congress. In 1961, he was elected to the U.S. House of Representatives, where he served until he was elected to the Senate in 1968. He served as Senate Majority Leader from 1981-86, and again from January 1995 through June 1996, when he resigned to concentrate on his presidential election campaign. He was picked to be President Gerald Ford's running mate in the 1976 presidential election, and later mounted three unsuccessful bids for the presidency himself in 1980, 1988, and 1996. Currently, Mr. Dole is a lobbyist with the Washington law firm of Verner, Liipfert, Bernhard, McPherson and Hand. The bill was introduced by Senator Roberts and passed the Senate by unanimous consent on July 28.

H.R. 994 names the United States border station in Pharr, Texas, after Kika de la Garza. Congressman de la Garza served the people of the 15th Congressional District of Texas for 32 years. He was a member of the Agriculture Committee where he served as chairman from 1981-1994, becoming the first Hispanic-American to serve as the chair of a major congressional committee. The bill was introduced by Mr. Traficant and was reported by the Transportation Committee by voice vote.

H.R. 29 names the federal building located at 290 Broadway in New York, New York, after Ronald H. Brown. Nominated by President Clinton in 1992, Mr. Brown was the first African-American Secretary of Commerce. In 1996, while on a mission of foreign trade development, the plane carrying Secretary Brown and several others crashed in Bosnia. The bill was introduced by Mr. Rangel on January 7, 1997, and was reported by the Transportation Committee by voice vote on July 28.

H.R. 1948—Hood Bay Land Exchange Act authorizes the exchange of land and interests between the U.S. Forest Service and the Alaska Pulp Corporation (APC), to benefit the city of Sitka, Alaska.

Under the terms of the exchange, 54 acres of land owned by APC on Admiralty Island National Monument in southeast Alaska will be conveyed to the United States government, to be incorporated into the Kootznoowoo Wilderness. In return, the Agriculture Secretary will relinquish federal reversionary interest to about 144 acres of land at the APC pulp mill site near Sitka. CBO estimates that enactment will result in no significant cost to the federal government. The bill was submitted by Mr. Young and reported by the Resources Committee by voice vote.

S. 871—Oklahoma City National Memorial Act establishes an Oklahoma City National Memorial in Oklahoma City, Oklahoma, as a unit of the National Park system. It also designates the Oklahoma City National Memorial Trust as a wholly-owned government corporation to administer the operation, maintenance, management and interpretation of the memorial. The bill authorizes \$5 million for construction and maintenance, but requires that the amount be matched by an equal amount of non-federal dollars. A CBO cost estimate was unavailable at press time. The Senate passed the bill by voice vote on July 31, 1997. The bill was submitted to the House on July 31, 1997, and was not considered by a House Committee.

H.R. 1460—Allowing the Election of the Delegate from Guam by Other than Separate Ballot permits Guam to establish a unified ballot, allowing a single ballot for the election of the Delegate from Guam and other territorial offices. The 1950 Organic Act of Guam requires that the Delegate from Guam to the U.S. House of Representatives be selected by ballots separate from those of other elected officials. The Guam Election Commission has requested that Congress amend current law to alleviate the unnecessary burden of excessive paper costs on its government. In addition, the bill authorizes a five-year continuance of food programs to communities of the former trust territory whose locally-grown products were contaminated by U.S. nuclear testing. CBO estimates that enactment will result in no significant cost to the federal government. The bill was introduced by Mr. Underwood and reported by the Resources Committee by voice vote.

H.R. 1420—Agreeing to the Senate Amendments to the National Wildlife Refuge System Improvement Act strengthens, clarifies, and modernizes the 1966 National Wildlife Refuge System Administration Act (*P.L. 89-123*). Specifically, the bill:

- * establishes one mission for the nation's 509 wildlife refuges;
- * requires that public use of a refuge may be allowed only where the use is compatible with the mission of the national wildlife system and purpose of the individual refuge, and creates standards by which the Interior Secretary may determine whether such uses are compatible;
- * states that wildlife-dependent recreational uses should be facilitated when it is determined to be compatible with an individual refuge;
- * requires the Fish & Wildlife Service (FWS) to determine prior to land acquisition whether existing wildlife-dependent uses may continue during the implementation of a management plan; and
- * requires the completion of a conservation plan for each refuge within 15 years of enactment.

H.R. 1420 passed the House by a vote of 407-1 on June 3, 1997; the bill was amended in the Senate and passed by voice vote on September 10, 1997. The Senate passed several minor technical modi-

fications and amendments to the bill. CBO estimates that enactment will have no significant effect on the federal budget. The bill was introduced by Mr. Young and reported by the Resources Committee by voice vote.

Additional Information: See *Legislative Digest*, Vol. XXVI, #26, September 19, 1997.



H.R. 2160—FY 1998 Agriculture Appropriations Act (Conference Report)

Floor Situation: The House is scheduled to consider the conference report to H.R. 2160 on Tuesday, September 23, 1997. Conference reports are privileged and may be considered any time three days after they are filed; they are debatable for one hour, may not be amended, and are subject to one motion to recommit. They do not require a rule for consideration. Nevertheless, last Thursday, the Rules Committee granted a rule waiving all points of order against the conference report and its consideration. The rule also self-executes (i.e., incorporates into the conference report upon passage of the bill) a necessary technical correction.

Summary: The conference agreement to H.R. 2160 appropriates \$49.6 billion in new FY 1998 budget authority for agriculture programs, \$103 million more than the House-passed bill and \$3.6 billion less than FY 1997. When scorekeeping adjustments are taken into account, the bill provides \$35.8 billion for mandatory programs (almost 80 percent of the total) and \$13.8 billion for discretionary programs (\$101 million more than the House level and \$700 million more than last year).

Major breakdowns in spending levels include:

- * \$25.1 billion for food stamps, \$2.5 billion less than the FY 1997 level;
- * \$7.8 billion for child nutrition programs, \$850,000 more than the House version and \$885 million less than last year;
- * \$3.9 billion for the supplemental nutrition program for Women, Infants, and Children, equal to the House-passed bill and \$118 million more than FY 1997;
- * \$1.6 billion for the Federal Crop Insurance Corporation, equal to both the House version and the FY 1997 level;
- * \$1.1 billion for the Food for Peace (*P.L. 480*) program, \$6.4 million more than the House-passed bill and \$4.2 million more than FY 1997; and
- * \$925.3 million for the Food and Drug Administration, \$5 million more than the House level and \$37.5 million more than FY 1997;
- * \$854.8 million for the Cooperative State Research, Education, and Extension Service, \$18.5 million more than the House-passed bill and \$54.6 million more than FY 1997;
- * \$783.5 million for the Commodity Credit Corporation, \$783.5 million less than last year; and
- * \$744.6 million for the Agricultural Research Service, \$19.5 million more than the House-passed bill and \$8.2 million more than last year.

The House passed H.R. 2160 by a vote of 395-14 on July 24, 1997. The Senate approved the bill by vote of 99-0 on the same day. The conference report was submitted by Mr. Skeen.

Views: The Republican leadership supports passed of the measure. An official Clinton Administration viewpoint was unavailable at press time.

Additional Information: See *Legislative Digest*, Vol. XXVI, #26, September 19, 1997, and #20, Pt. II, July 14, 1997.



Motion to Go to Conference on H.R. 2264 (FY 1998 Labor, HHS, and Education Appropriations Act)

Floor Situation: Mr. Porter or a designee may offer a motion to go to conference on H.R. 2264 after the House completes consideration of the conference report to H.R. 2160. Such a motion usually takes the form of a unanimous consent request. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

Summary: The motion, if agreed to, will establish a House-Senate conference to resolve differences between the House version of H.R. 2264—which passed the House by a vote of 346-80 on September 17, 1997—and the Senate version, which passed the Senate by voice vote on the same day. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

Views: The Republican Leadership supports the motion to go to conference, and opposes any motion to instruct conferees that would weaken the position of House negotiators.

Additional Information: See *Legislative Digest*, Vol. XXVI, #23, August 29, 1997.



Motion to Go to Conference on H.R. 2378 (FY 1998 Treasury, Postal Service Appropriations Act)

Floor Situation: Mr. Kolbe or a designee may offer a motion to go to conference on H.R. 2378 after the House appoints conferees on H.R. 2264. Such a motion usually takes the form of a unanimous consent request. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

Summary: The motion, if agreed to, will establish a House-Senate conference to resolve differences between the House version of H.R. 2378—which passed the House by a vote of 231-192 on

September 17, 1997—and the Senate version, which passed the Senate by voice vote on the same day. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

Views: The Republican Leadership supports the motion to go to conference, and opposes any motion to instruct conferees that would weaken the position of House negotiators.

Additional Information: See *Legislative Digest*, Vol. XXVI, #24, September 5, 1997.



Motion to Go to Conference on H.R. 2107 (FY 1998 Interior Appropriations Act)

Floor Situation: Mr. Regula or a designee may offer a motion to go to conference on H.R. 2107 after the House appoints conferees on H.R. 2378. Such a motion usually takes the form of a unanimous consent request. A motion to instruct may be made immediately after this request and before the chair appoints conferees. Instructions are considered the prerogative of the minority and are debatable for one hour.

Summary: The motion, if agreed to, will establish a House-Senate conference to resolve differences between the House version of H.R. 2107—which passed the House by a vote of 238-192 on July 15, 1997—and the Senate version, which passed the Senate by voice vote on September 18. Once agreed to, the motion permits the chair to appoint conferees. Details of a possible motion to instruct were unavailable at press time.

Views: The Republican Leadership supports the motion to go to conference, and opposes any motion to instruct conferees that would weaken the position of House negotiators.

Additional Information: See *Legislative Digest*, Vol. XXVI, #19, July 3, 1997.



Brian Fortune: *Editor*

S. Kevin Washington:
Senior Legislative Analyst

Melissa Decker, Jimmy Papadimitriou,
Becci Roberts, Kevin Smith:
Legislative Analysts



Legislative
Digest